

United States Bankruptcy Court

DISTRICT OF _____

In re Gerald Armstrong ,
Debtor
Church of Scientology International

Plaintiff

V.

Gerald Armstrong,
Defendant

To: Gerald Armstrong Corporation

SUBPOENA DUCES TECUM IN AN ADVERSARY PROCEEDING

Case No. 95-10911 AJChapter 7Adv. Proc. No. 95-1164

☐ YOU ARE COMMANDED to appear in the United States Bankruptcy Court at the place, date, and time specified below to testify in the above adversary proceeding.

PLACE

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above adversary proceeding.

PLACE

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

See Attachment "A" Hereto.

PLACE

Wilson, Ryan & Campilongo
115 Sansome Street, Suite 400
San Francisco, CA 94104 (415) 391-3900

DATE AND TIME

Jan. 11, 1996
10:00 a.m.

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any subpoenaed organization not a party to this adversary proceeding shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify, Fed.R.Civ.P. 30(b)(6) made applicable in adversary proceedings by Rule 7030, Fed.R.Bankr.P.

ISSUING OFFICER'S SIGNATURE AND TITLE

DATE

Jason S. Cohen SBN: 175900

1/3/96

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Jason S. Cohen, Esq., Wilson, Ryan & Campilongo
115 Sansome St., Suite 400, San Francisco, CA 94104 (415) 391-3900

ATTACHMENT A**DEFINITIONS AND EXPLANATIONS:**

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3 1. As used herein, the term "document" includes all written,
4 typewritten, printed and graphic materials of whatever kind or
5 nature, including, but not limited to, correspondence, notes,
6 memoranda, telegrams and cables, telexes, telecopies, panafaxes,
7 publications, contracts, agreements, insurance policies, minutes,
8 offers, analyses, projections, studies, books, papers, records,
9 reports, lists, calendars, diaries, statements, complaints, filings
10 with any court, tribunal or governmental agency, corporate minutes,
11 partnerships, agreements, ledgers, transcripts, summaries, agendas,
12 bills, invoices, receipts, estimates, evaluations, personnel files,
13 certificates, instructions, manuals, bulletins, advertisements,
14 periodicals, accounting records, checks, check stubs, check
15 registers, canceled checks, money orders, negotiable instruments,
16 sound recordings, films, photographs, mechanical or electronic
17 recordings, tapes, transcriptions, blueprints, computer programs
18 and data, data processing cards, computer disks, software, logs,
19 email, news postings, instruction manuals, x-rays, laboratory
20 reports and all other medical tests and test results, whether in
21 draft or otherwise, including but not limited to, copies and non-
22 identical copies (whether different from the originals because of
23 notes or marks made on or attached to said copies or otherwise).

24 2. The words "and" and "or" as used herein shall both mean
25 "and/or."

26 3. The term "you" as used herein means GAC, its officers,
27 directors, employees, agents and attorneys.
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4. If in response to this Deposition notice you decline or

1 refuse to produce any document based upon a claim of privilege, at
2 the time of production of these records, you are to state in
3 writing with respect to each such document the following:

4 (a) An identification of the document with reasonable
5 specificity and particularity, including its nature
6 (memo, letter, etc.), title and date;

7 (b) The exact nature of the privilege asserted;

8 (c) All of the facts upon which your claim of privilege
9 is based or which supports said claim;

10 (d) With respect to each person who was present at the
11 time the document was prepared:

12 (1) Their name and last known business and
13 residential addresses, telephone numbers, and email
14 addresses or aliases; and

15 (2) Their employer and job title or capacity at the
16 time that the document was prepared;

17 (e) With respect to each individual and entity to whom
18 the original or a copy of the document was sent:

19 (1) their name and last known business and
20 residential addresses, telephone numbers and email
21 addresses or aliases; and

22 (2) Their employer and job title or capacity at the
23 time that the original or the copy of the document was
24 sent to them;

25 (3) The date(s) when the document or copy was sent;
26 and

27 (4) By whom the document or copy was sent;

28 (f) With respect to each individual and entity who, to

1 the best of your knowledge, information or belief, has
2 seen the original or any copy of the document:

3 (1) Their name and last known business and
4 residential addresses, telephone numbers, and email
5 addresses or aliases;

6 (2) Their employer and job title or capacity at the
7 time the document or copy was seen by them; and

8 (3) The date(s) when the document or copy was seen
9 by them;

10 (g) With respect to each individual or entity who, to
11 the best of your knowledge, information or belief, had
12 possession or custody of the original or any copy of the
13 document:

14 (1) The name and last known business and residential
15 addresses, telephone numbers, and email addresses or
16 aliases;

17 (2) The inclusive dates during which they had
18 possession or custody of the document or copy; and

19 (3) Their employer and job title or capacity at the
20 time that they had possession of the document or copy;
21 and

22 (h) Identify with reasonable particularity each
23 document which refers to, discusses, analyzes, or
24 comments upon the document which you claim is privileged,
25 or which contains any and all of its contents.

DOCUMENTS AND THINGS TO BE PRODUCED

1. The articles of incorporation of The Gerald Armstrong Corporation (hereinafter "GAC").

2. The bylaws of GAC.

3. All documents reflecting GAC's financial condition from January 1, 1987 to the present. Such documents shall include but not be limited to financial statements, profit and loss statements, income and expense statements, asset statements, balance sheets and loan applications.

4. All documents reflecting payments to GAC from any source for any reason from January 1, 1987 to the present.

5. All documents reflecting the names, addresses and telephone numbers of the locations at which GAC's banking accounts are maintained.

6. All documents which refer to, relate to, mention, discuss, concern or evidence, without limitation, any stock offering made by GAC from January 1, 1987 until the present.

7. All documents which refer to, relate to, mention, discuss, concern or evidence, without limitation, any transfer of shares in GAC made by anyone from January 1, 1987 until the present.

8. All documents which refer to, relate to, mention, discuss, concern or evidence, without limitation, any transfer of assets, including personal property from Gerald Armstrong to GAC from January 1, 1987 until the present.

9. All documents which refer to, relate to, mention, discuss, concern or evidence, without limitation, any loans made to GAC by any person from January 1, 1987 until the present.

1 10. All documents, including loan applications, relating to
2 any loans secured by GAC at any time.

3 11. All documents evidencing or reflecting payments on any
4 loans secured by GAC.

5 12. All documents which refer to, relate to, mention,
6 discuss, concern or evidence, without limitation, any loans made by
7 GAC to any person from January 1, 1987 until the present.

8 13. All documents reflecting the names and titles of all
9 employees who worked for GAC from January 1, 1987 to the present.

10 14. All documents reflecting the names of the officers and
11 directors of GAC from January 1, 1987 to the present.

12 15. All documents which refer to, relate to, mention,
13 discuss, concern or evidence, without limitation, any payments made
14 by GAC to Gerald Armstrong from January 1, 1987 until the present.

15 16. All documents comprising, evidencing or relating to any
16 agreements between GAC and Gerald Armstrong at any time.

17 17. All documents comprising, evidencing or relating to the
18 lease or rental of any real property by GAC from January 1, 1987 to
19 the present.

20 18. All documents comprising, evidencing or relating to the
21 purchase of any real property by GAC from January 1, 1987 to the
22 present.

23 19. All documents comprising or relating to payments made,
24 including checks or money orders or other documentation of payments
25 for the lease or rental of any real property by GAC from January 1,
26 1987 to the present.

27 20. All documents comprising, evidencing or relating to
28 payments made, including checks or money orders or other

1 documentation of payments toward the purchase of any real property
2 by GAC from January 1, 1987 to the present.

3 21. All documents comprising, evidencing or reflecting bills
4 or invoices, and payments thereon, for maintenance of any real
5 property owned, leased or rented by GAC.

6 22. All documents comprising, evidencing or relating to
7 payments to any utility companies for the utilities at any real
8 property owned, rented or leased by GAC.

9 23. All documents reflecting the names, addresses and
10 telephone numbers of all accountants, accounting firms and other
11 persons or businesses that GAC retained to manage, analyze, monitor
12 or keep records of its business and financial affairs and assets,
13 from January 1, 1987 to the present.

14 24. All documents which refer, relate, mention, discuss,
15 concern or evidence, without limitation, any payments made by GAC
16 to anyone on behalf of Gerald Armstrong from January 1, 1987 until
17 the present.

18 25. All documents which refer to, relate to, mention,
19 discuss, concern or evidence, without limitation, any property,
20 cash or other asset paid to GAC, of any kind whatsoever, in
21 exchange for every transfer of cash and/or shares of stock in GAC
22 made by Gerald Armstrong.

23 26. All documents which concern, evidence or reflect the
24 assets of GAC from January 1, 1987 to the present.

25 27. All documents which concern, evidence, reflect or
26 constitute the literary works owned or in the possession of GAC.

27 28. All documents which concern, evidence, reflect or
28 constitute the inventions or rights to inventions which are owned

1 or in the possession of GAC.

2 29. All documents which concern, evidence, reflect or
3 constitute the manuscripts, screen plays, motion picture
4 treatments, "fictionalizations", plays, articles or scripts which
5 are owned or in the possession of GAC.

6 30. All documents which concern, evidence, reflect or
7 constitute the artistic works which are owned or in the possession
8 of GAC.

9 31. All documents which concern, evidence, reflect or
10 constitute the formulas or rights to formulas which are owned or in
11 the possession of GAC.

12 32. All documents evidencing or relating to the issuance of
13 stock by GAC.

14 33. All minutes of any meetings of the board of directors of
15 GAC from January 1, 1987 to the present.

16 34. All documents concerning, evidencing, relating or
17 constituting any appraisal of all or part of the assets owned or in
18 the possession of GAC from January 1, 1987 to the present.

19 35. All documents evidencing or relating to the sale of any
20 assets owned or in the possession of GAC from January 1, 1987 to
21 the present.

22 36. All documents identifying, evidencing or relating to any
23 creditors of GAC from January 1, 1987 to the present.

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